

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF January 15<sup>th</sup>, 2014**

**Members Present:** James Cueva, Chairman                      Kevin Deeb, VC                      Carlos Naumann  
Benjamin S. Essien                      James Starkweather                      Jose Escandell  
Robert Sweeney

**Excused Absent:** Emile Amedee                      Gordon Loader                      Abel Ramirez  
Aymara D. Riley                      Ramon Arronte

**Staff:** Kathy Charles, Acting Clerk of the Board  
Latisha Byrd, Board Recording Secretary  
Christopher Angell, Asst. County Attorney

**Court Reporter:** Janice Aguirre, Miami-Dade County Court Reporters, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, January 15<sup>th</sup>, 2014, on the 2<sup>nd</sup> Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26<sup>th</sup> Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the December 11<sup>th</sup>, 2013 Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were agreements with the Building Official/Inspector:

**Unincorporated Miami Dade County:**

DC20130159598U	6900 SW 122 Avenue, North
DC20130159687U	11810 NE 16 Avenue
DC20130159949U	1501 NE 150 Street, #101-104
DCF2011111441U	6023 NW 22 Avenue, #1
DCF2011111535U	10315 Coral Way, #1
DCF2011111536U	10315 Coral Way, #2
DCF2011111650U	7303 SW 88 Street, #1
DCF2012112648U	3301 NW 71 Street, #1
DCF2012112649U	3465 NW 71 Terrace, #1
DCF2012112712U	2433 NW 54 Street, #1
DCF2012112720U	3065 NW 54 Street, #1
G20130159378U	14297 SW 142 Street, #D37

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Florida City cases that were No Contest/No Show for the Building Official recommendation:

**Unincorporated Miami Dade County:**

DCF2012112700U	8200 N. Miami Avenue, #1
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**City of Florida City:**

FC13-587	316 NW 7 Avenue
FC13-598	1209 NW 6 Avenue

Ms. Charles announced that the following Unincorporated Miami Dade County cases that were Deferred/Withdrawn by the Building Official:

**Unincorporated Miami Dade County:**

DCF2011111876U	29598 SW 170 Avenue, #3
DCF2012112357U	3380 NW 114 Street, #1
DCF2012113022U	7425 SW 42 Street, #1
DCF2007107425U	14090 SW 127 Street, #10
DCF2007107426U	14090 SW 127 Street, #11

The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

**Heard Cases**

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:25 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DC20120152581U	11605 SW 220 Street
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Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated February 20<sup>th</sup>, 2013. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case providing one hundred twenty (120) days to complete all the repairs.

After some discussion, Mr. James Starkweather moved to ratify an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case by providing one hundred twenty (120) days to complete the repairs. Mr. Benjamin seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Ms. Charles then called forth the second case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DC20110147816U

15201 NE 6 Avenue

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated January 16<sup>th</sup>, 2013. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case providing for all structures outlined as follow: to obtain permit for structure (A) by February 14<sup>th</sup>, 2014; to obtain a permit for structure (B) by April 14<sup>th</sup>, 2014; to obtain a permit for structure (C) by June 14<sup>th</sup>, 2014; to obtain a permit for structure (D) by August 13<sup>th</sup>, 2014; to obtain a permit for structures (E), (F), (G) & (H) by March 16<sup>th</sup>, 2014 and to complete the all repairs for structure (A) by July 14<sup>th</sup>, 2014; to complete the all repairs for (B) by October 12<sup>th</sup>, 2014; to complete all repairs for structures (C) & (D) by January 10<sup>th</sup>, 2015; to complete all repairs for structures (E), (F), (G) & (H) by June 14<sup>th</sup>, 2014.

After some discussion, Mr. Kevin Deeb moved to ratify an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case for all structures outlined as follow: to obtain permit for structure (A) by February 14<sup>th</sup>, 2014; to obtain a permit for structure (B) by April 14<sup>th</sup>, 2014; to obtain a permit for structure (C) by June 14<sup>th</sup>, 2014; to obtain a permit for structure (D) by August 13<sup>th</sup>, 2014; to obtain a permit for structures (E), (F), (G) & (H) by March 16<sup>th</sup>, 2014 and to complete the all repairs for structure (A) by July 14<sup>th</sup>, 2014; to complete the all repairs for (B) by October 12<sup>th</sup>, 2014; to complete all repairs for structures (C) & (D) by January 10<sup>th</sup>, 2015; to complete all repairs for structures (E), (F), (G) & (H) by June 14<sup>th</sup>, 2014. Mr. James Starkweather seconded the motion.

Motion passed unanimously.

*(For a verbatim version, please refer to the transcripts).*

Ms. Charles then called forth the third case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DC20130156525U

22300 SW 116 Avenue

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated June 19<sup>th</sup>, 2013. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case providing sixty (60) days to obtain the permit and one hundred twenty (120) days from today to complete the repairs.

After some discussion, Mr. James Starkweather moved to ratify an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-compliant case by providing sixty (60) days to obtain the permit and one hundred twenty (120) days from today to complete the repairs. Mr. Benjamin Essien seconded the motion.

Motion passed unanimously.

*(For a verbatim version, please refer to the transcripts).*

Ms. Charles then called forth the fourth case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DC20130157232U

5960 SW 57 Avenue

Mr. Monte Lee gave an account of the structure and informed the Board that the owner's representative is present because they requested an extension of time before the expiration date of the Board Order. He then enlightened the Board that the case had been in violation since 2005.

Mr. James Mackenzie, Contractor, gave a description of the property and informed the Board that they acknowledge that the property needs to be repaired and brought up to code, but they're going to need additional time to do all the necessary repairs. He explained to the Board the use of the property and that work had been started, but obtaining the supplies to install the lights had delayed the process of the completion of the repairs. Mr. Mackenzie proceeded to request additional time to bring the property into compliance.

Mr. Cueva asked if the lights had to be installed prior to the completion of the additional repairs.

Mr. Mackenzie responded that obtaining the supplies to do the scope of work is delaying the completion of the outside repairs.

After some discussion, Mr. James Starkweather moved to allow extension of time to complete all the repairs within one hundred eighty (180) days from today. Mr. Carlos Naumann seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts).*

Ms. Charles then called forth the fifth case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DC2012112810U

1101 NW 57 Avenue, #1

Mr. Monte Lee gave an account of the structure and recommended that "A 40 year recertification report in the format required by the Department of Regulatory and Economic Resources prepared by a Florida registered professional engineer or architect must be submitted to the Department of Regulatory and Economic Resources, Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted for the structure to the Department of Regulatory and Economic Resources within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by Miami-Dade County as soon as possible. Except as otherwise specified above, the timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued the Order. Also note that all time frames mentioned are in calendar days."

Mr. Enrique Puig, Property Owner, informed the Board that he purchased the property in 2004 and will be renovating the building. He further informed the Board that this property was a transferred title and then provided the Board with a timetable to do all the necessary repairs to bring the property up to code. Mr. Puig assured the Board that he will handle all matters in reference to the property and proceeded to request additional time to bring the property into compliance.

Mr. Cueva asked if the County inspected the property and whether it is structurally sound.

Mr. Lee informed the Board that the 40-year recertification must be submitted. He further informed the Board that the property had been inspected and is not up to code. Mr. Lee explained to the Board that the building site and the pool structure are in a hazardous condition that deemed the property to be unsafe. He further explained that the property owner failed to obtain the 40-year recertification, which is why the case is before the Board today. Mr. Lee then read into the record the notes of the timetable that were provided by the inspector in reference to the case.

Mr. Essien asked the property owner how much time does he need to comply.

Mr. Juan Fernandez, Structural Engineer, informed the Board that they are working diligently to do the necessary repairs. He responded that he will need about a year to complete the repairs.

After further discussion, Mr. Starkweather moved that "Said structure is to be secured within five (5) days. The following securing method is approved: Pool and Building Site. The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. A 40 year recertification report and structural report must be submitted to the Miami-Dade County Unsafe Structures Unit by March 15<sup>th</sup>, 2014. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code by January 15<sup>th</sup>, 2015. The completion or repair of said structure shall conform to the current Florida Building Code and shall be completed by January 15<sup>th</sup>, 2018. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible." Mr. Naumann moved to second the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts).*

There being no further business, a motion was made by Mr. James Starkweather to adjourn the meeting at 2:33 P.M. and seconded by Mr. Naumann.

Prepared by: \_\_\_\_\_

Recording Secretary

\_\_\_\_\_  
Chairperson

Date: \_\_\_\_\_

2/19/2014